

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**KIDIA M. TYLER,**

Plaintiff,

v.

**Case No. 14-C-956**

**CNH GLOBAL,**

Defendant.

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**DECISION AND ORDER**

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This Court denied pro se Plaintiff Kidia M. Tyler's ("Tyler") motion for leave to proceed *in forma pauperis* based on her untruthful answer "no" to question I.B. in the form Complaint regarding whether she started any prior federal or state lawsuits. Tyler has filed a letter stating that she found Complaint form questions I.A. and I.B. confusing because they use "begun" not "filed" regarding prior lawsuits. She has filed a motion to amend, attaching the first two pages of the Complaint with the previously omitted information. Due to the expenses she will incur with the start of the school year for her children, she also seeks a 60-day extension of time to pay the fee for filing this action.

Tyler's request for extension of time establishes good cause and, therefore, is granted. However, "[b]ecause a plaintiff's new complaint wipes away prior pleadings," *see Chasensky v. Walker*, 740 F.3d 1088, 1094 (7th Cir. 2014); *see also Flannery v. Recording Indus. Ass'n of Am.*, 354 F.3d 632, 638 n.1 (7th Cir. 2004), if Tyler wants to amend her Complaint she must file a complete document. Courts must construe pro se pleadings liberally, *see Ambrose v. Roeckeman*, 749 F.3d 615, 618 (7th Cir. 2014), but a

plaintiff's pro se status does not absolve her from complying with the federal and local procedural rules. *See Pearle Vision, Inc. v. Romm*, 541 F.3d 751, 758 (7th Cir. 2008) (citing *McNeil v. United States*, 508 U.S. 106, 113 (1993)).

Tyler is also advised that Rule 15(a)(1) of the Federal Rules of Civil Procedure provides “ [a] party may amend its pleading once as a matter of course within: (A) 21 days after serving it, or (B) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.” Fed. R. Civ. P. 15.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT:**

Tyler's motion for extension of time to pay the filing fee (ECF No. 10) is **GRANTED**;

Tyler must pay the \$400 fee for filing this action **no later than November 17, 2014**; and,

Tyler's motion to amend (ECF No. 11) is **DENIED**.

Dated at Milwaukee, Wisconsin, this 29th day of August, 2014.

**BY THE COURT:**

  
HON. RUDOLPH T. RANDA  
U.S. District Judge